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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR 12-0118 YGR
Plaintiff,)
v.) STIPULATION TO EXTEND POST-
HEARING BRIEFING DEADLINE TO
MARCH 1, 2013 AND ORDER
VONTINO ALEXANDER,)
Defendant.)

The United States, by Assistant U.S. Attorney Brigid Martin, and the defendant, Vontino Alexander, through Jerome Matthews, counsel of record, hereby ask the Court to extend the post-hearing briefing deadline to March 1, 2013, to allow time for the court reporter to transcribe the hearing.

1. On January 31 and February 12, 2013, the Court conducted an evidentiary hearing on defendant's motion to suppress evidence.

2. At the close of the hearing, the Court ordered post-hearing briefing including a statement of facts and proposed findings of fact.

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3. The parties requested and received an expedited transcript from the court reporter from the January 31 hearing.

4. The court reporter relayed to the government on February 13 that she would not be able to provide an expedited transcript in less than seven (7) days from receipt of an official contract request.

5. Assuming the government gets supervisory and budgetary permission for the expedited requested today, February 14, the earliest that the court reporter could provide the transcript would be February 21, one day before the briefing is currently due.

6. Therefore, the parties accordingly ask the Court to extend the briefing deadline one week to March 1, 2013, to allow time for the Court reporter to complete the transcripts and the parties to review the transcript and prepare their briefs.

7. Because the defendant's motion to suppress is still pending before the Court, time under the Speedy Trial Act "shall be excluded" under 18 U.S.C. § 3161(h)(1)(D).

8. Accordingly, the parties ask the Court to reset the briefing deadline to March 1, 2013.

DATED: February 14, 2013

So Stipulated: /S/ Brigid Martin
BRIGID MARTIN
Assistant U.S. Attorney

/S/ Jerome Matthews
JEROME MATTHEWS
Counsel for Defendant

GOOD CAUSE APPEARING, it is ordered that:

1. The deadline for post-hearing briefing for both parties in this case shall be extended one week and reset to March 1, 2013, to allow for preparation of the transcripts by the court reporter, and receipt and review of the transcripts by the parties. SO ORDERED.

DATED: February 15, 2013

Yvonne Gonzalez Rogers
HON. YVONNE GONZALEZ ROGERS
United States District Judge